THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION No.5795 of 2006

09-06-2006

Between:

S.Murthy Bobbili.

.... PETITIONER

AND

J.N.T.U. rep. by its Registrar, Masab Tank, Hyderabad and another.

...RESPONDENTS

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION No.5795 of 2006

O R D E R:

This writ petition is filed seeking a Writ of Mandamus declaring the action of the third respondent in not declaring the results of the petitioner in respect of mid exams held in 3rd Semester of MCA Course as illegal and arbitrary.

It is the case of the petitioner that after he has completed two semesters, he appeared for 3rd semester in the month of November, 2004, but, however, he did not get qualifying marks in one of the subjects viz. Operation Research. The grievance of the petitioner is that though he appeared for mid exam subsequently, the third respondent is not declaring the results of the petitioner.

In the counter affidavit filed on behalf of the respondents, it is stated that as the petitioner has failed in one subject i.e, Operation Research in 3rd semester, he has to reappear in the end examination also in that subject and he will be permitted to re-register the subject when offered next. It is further stated that though the petitioner has re-registered his name by paying fee for that subject to attend the classes, but, however, has taken internal examination only, but did not register for end examination by paying examination fee.

From a perusal of the academic regulations, it is clear that a candidate will be deemed to have secured the minimum academic requirement in a subject if he secures a minimum of 40% of marks in the end examination and a minimum aggregate of 50% of the total marks in the end semester examination and internal evaluation taken together. But, however, even according to the petitioner, when he appeared, in the first instance, for the mid exam and end exam, he got only 37 marks and did not qualify in the same, in which event, under regulation 4.5 he has to reappear for the

Semester Examination also and subsequently, he appeared only for mid examination, but did not appear in the end examination. In that view of the matter, it cannot be said that the respondents are not declaring the results and unless he appeared in the end semester examination, he is not entitled for declaration of the results in the subject i.e. Operation Research.

The writ petition is devoid of merits and is accordingly dismissed. No order as to costs.

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09-06-2006

Note:Furnish copy within two days
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